



DEPARTMENT OF AGRICULTURE

Rural Business-Cooperative Service

Rural Housing Service

Rural Utilities Service

[Docket No. RUS-22-Agency-0032]

OneRD Annual Notice of Guarantee Fee Rates, Periodic Retention Fee Rates, Loan Guarantee Percentage and Fee for Issuance of the Loan Note Guarantee Prior to Construction Completion for Fiscal Year 2023

AGENCY: Rural Business-Cooperative Service, Rural Housing Service, and Rural Utilities Service, Agriculture (USDA).

ACTION: Notice.

SUMMARY: The Rural Business-Cooperative Service (RBCS), Rural Housing Service (RHS), and the Rural Utilities Service (RUS), agencies of the Rural Development mission area within the U.S. Department of Agriculture (USDA), hereinafter collectively referred to as the Agency, offer loan guarantees through four programs: Community Facilities (CF) administered by the RHS; Water and Waste Disposal (WWD) administered by the RUS; and Business and Industry (B&I) and Rural Energy for America Program (REAP) administered by the RBCS. This notice provides applicants with the Guarantee Fee rates, Guarantee percentage for Guaranteed Loans, the Periodic Retention Fee, and Fee for Issuance of the Loan Note Guarantee Prior to Construction Completion for Fiscal Year (FY) 2023, to be used when applying for guaranteed loans under the guaranteed loan types listed above. This notice is being published prior to the passage of a FY 2023 appropriation. Should the fees need to be adjusted after passage of the FY 2023 appropriations, the agency will publish a subsequent notice in the *Federal Register*.

DATES: The fees in this notice are effective October 1, 2022.

FOR FURTHER INFORMATION CONTACT: For information specific to this notice contact Michele Brooks, Director, Regulations Management, Rural Development Innovation Center – Regulations Management, USDA, 1400 Independence Avenue SW, Washington, DC 20250-1522. Telephone: (202) 690-1078. Email: michele.brooks@usda.gov. For information regarding implementation, contact your respective Rural Development State Office listed here: <https://www.rd.usda.gov/browse-state>.

SUPPLEMENTARY INFORMATION:

As set forth in 7 CFR Part 5001, the Agency is authorized to charge a guarantee fee, a periodic guarantee retention fee, a fee for the issuance of the loan note guarantee prior to construction completion and establish a loan guarantee percentage for guaranteed loans made under this rule. Pursuant to this and other applicable authority, and subject to the current appropriated authority, the Agency is establishing the following for FY 2023:

Loan Type	Guarantee Fee	Periodic Guarantee Retention Fee	Loan Guarantee Percentage	Fee for Issuance of Loan Note Guarantee Prior to Construction Completion
B&I	3.00%	0.5%	80%	0.5%
B&I Reduced Fee	1.0%	0.5%	80%	0.5%
B&I project in a high cost, isolated rural area of the State of Alaska that is not connected to a road system	1.0%	0.5%	90%	0.5%
CF	1.25%	0.5%	80%	0.5%
REAP	1.0%	0.25%	80%	0.5%
WWD	1.0%	N/A	80%	0.5%

The initial guarantee fee is paid at the time the loan note guarantee is issued. The periodic guarantee retention fee is paid by the lender to the Agency once a year. Payment of the periodic guarantee retention fee is required in order to maintain the enforceability of the guarantee. The fee for issuance of the loan note guarantee prior to construction

completion DOES NOT apply to all construction loans. This additional fee only applies to loans requesting to receive a loan note guarantee prior to project completion. For loans where the loan note guarantee is issued between October 1 and December 31, the first periodic retention fee payment is due January 31 of the second year following the date the loan note guarantee was issued.

Unless precluded by a subsequent FY 2023 appropriation, these rates will apply to all guaranteed loans obligated in FY 2023. The amount of the periodic retention fee on each guaranteed loan will be determined by multiplying the periodic retention fee rate by the outstanding principal loan balance as of December 31, multiplied by the percentage of guarantee.

Non-Discrimination Statement

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Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue SW
Washington, D.C. 20250-9410; or
- (2) email: OAC@usda.gov.

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Justin Maxson,
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[FR Doc. 2022-15058 Filed: 7/13/2022 8:45 am; Publication Date: 7/14/2022]